

WORKING DRAFT

HOUSE BILL NO. _____

Drug court amendments.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to courts; providing that the jurisdiction
2 of drug courts be expanded to address other social
3 problems, as specified; and providing for an effective
4 date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 Section 1. W.S. 5-10-101(a)(i), (b)(iv) and (v) and
9 by creating a new paragraph (vi), 5-10-102(b) and (c), 5-
10 10-103(a) and 5-10-106(a)(ix) through (xi) are amended to
11 read:

12

13 **5-10-101. Purpose and goals.**

14

1 (a) The legislature recognizes that a critical need
2 exists in this state for criminal justice system programs
3 that will break the cycle of drug and alcohol abuse and
4 addiction and the crimes committed as a result of drug and
5 alcohol abuse and addiction. Local drug court programs
6 shall be facilitated for the purpose of:

7

8 (i) Providing sentencing options for the
9 judicial system to dispose of cases stemming from drug use,
10 domestic violence, child abuse and neglect, mental health
11 disorders and other social problems; and

12

13 (b) The goals of the drug court programs funded under
14 this article include the following:

15

16 (iv) To increase the personal, familial and
17 societal accountability of offenders; ~~and~~

18

19 (v) To promote effective interaction and use of
20 resources among criminal justice personnel, state agencies
21 and community agencies-~~;~~ and

22

1 (vi) To reduce the threat to community safety
2 caused by domestic violence, child abuse and neglect,
3 mental health disorders and other social problems;

4
5 **5-10-102. Establishment of problem solving court**
6 **system; problem solving court account.**

7
8 (b) Any drug court which meets all of the
9 qualifications of W.S. 5-10-106 and rules and regulations
10 properly promulgated is eligible for funding from the drug
11 court account in an amount ~~not to exceed two hundred~~
12 ~~thousand dollars (\$200,000.00) for each fiscal~~
13 year determined by the drug court panel based on the drub
14 court's demonstrated need.

15
16 (c) The department of health shall make funding
17 recommendations to the drug court panel based on the amount
18 of funding which the ~~county~~local government or other entity
19 supplies to its drug court. The department of health shall
20 make recommendations regarding a proportionate contribution
21 to each participating county from the ~~drug court~~ account
22 subject to the maximum amount established in subsection (b)
23 of this section.

24

1 **5-10-103. Drug court panel.**

2

3 (a) The department of health shall oversee and
4 provide funding for the drug courts from the drug court
5 account. The department of health shall implement rules and
6 regulations specifying a funding application procedure,
7 certification requirements for treatment personnel
8 participating in the drug court program, ~~and drug court~~
9 ~~program office guidelines. In order to maximize federal~~
10 ~~financial participation, compliance with the United States'~~
11 ~~Department of Justice Drug Court Program guidelines shall~~
12 ~~be considered by the department.~~

13

14 **5-10-104. Local drug court management committee.**

15

16 (a) A local drug court management committee shall be
17 established by each local drug court. The members of this
18 management committee shall be actively involved with the
19 drug court. The management committee shall consist of:

20

21 (iv) A monitoring officer, agreed upon by the
22 attorney members of the committee and the judge; ~~and~~

23

1 (v) A representative of the treatment providers,
2 agreed upon by the attorney members of the committee and
3 the judge-; and

4
5 (vi) In the case of a domestic violence court, the
6 director of the community domestic violence shelter
7 program; and

8
9 (vii) Such other members as are necessary to assure
10 the committee includes representatives of disciplines
11 appropriate for the subject matter addressed by the court.

12
13 **5-10-106. Qualifications.**

14
15 (a) To be eligible for funding from the state drug
16 court account a local drug court shall:

17
18 (i) Integrate substance abuse and other
19 appropriate treatment services with the justice system case
20 processing;

21
22 (ii) Use a nonadversarial approach involving
23 both the prosecution and defense counsel to promote public
24 safety, ensuring victim safety and holding perpetrators

1 accountable while providing appropriate treatment for the
2 adjudicated individual;

3

4 (ix) Continue interdisciplinary education which
5 promotes effective drug court planning, implementation and
6 operations; and

7

8 (x) Forge partnerships among drug courts, public
9 agencies, community-based organizations and private
10 foundations and businesses which generate local support and
11 enhance the effectiveness of the drug court program. ~~and~~

12

13 ~~(xi) Have maximized the use of available federal~~
14 ~~funding from the United States department of justice drug~~
15 ~~court program under the guidelines of title 42, section~~
16 ~~3796ii of the United States Code.~~

17

18 **Section 2.** This act is effective July 1, 2006.

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(END)